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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Hartig, M. et al) Art Unit: 1614
U.S. Appln. No. : 10/736,264) Examiner:
Confirmation No. : 3847
U.S. Filing Date : 12/15/2003
Title of Invention : Powdered Medicaments Containing A Tiotropium Salt And Salmeterol
Xinafoate
Attny. Docket No.: 1/1439

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

June 7, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A and B) with copies of all references cited therein. This is being submitted pursuant to 37 C.F.R. §1.56 and before the mailing of a first Office Action on the merits, pursuant to 37 CFR § 1.97(b).

It should be noted that the references listed in the Information Disclosure Statement have been cited in the International Search Report (ISR) for PCT/EP 03/13691, which corresponds to the present US application. A copy of that ISR is enclosed herewith.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

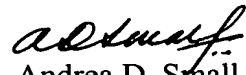
☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,


Andrea D. Small
Attorney for Applicant(s)
Reg. No. 54,859

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road, P.O. Box 368
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

3

Complete if Known

Application Number	10/736,264
Filing Date	12/15/2003
First Named Inventor	Mareke HARTIG
Art Unit	1614
Examiner Name	
Attorney Docket Number	1/1439

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,795,594	08/18/1998	York, P. et al	
		US- 2003/018019 A1	01/23/2003	Meade, C.J. M. et al	
		US- 2002/189610 A1	12/19/2002	Bozung, K-H. et al	
		US- 2003/130300 A1	07/10/2003	Linz, G. et al	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 03/000241 A2	01/03/2003	BI Pharma KG		
		WO 03/013633 A1	02/20/2003	Glaxo Group Ltd.		
		WO 02/060532 A1	08/08/2002	BI Pharma KG		
		WO 02/38154 A1	05/16/2002	BI Pharma KG		
		WO 00/69468 A1	11/23/2000	BI Pharma KG		

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Sheet 2 of 3**Complete if Known**

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First Named Inventor	Mareke HARTIG
Art Unit	1614
Examiner Name	
Attorney Docket Number	1/1439

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 02/30390 A2	04/18/2002	BI Pharma KG		
		WO 93/16031 A1	08/19/1993	Glaxo Group Ltd.		
		WO 03/024452 A1	03/27/2003	BI Pharma KG		

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